

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

**JOE ALEXANDER,**

**Plaintiff,**

**v.**

**DIET MADISON AVENUE, DMA DOE  
DEFENDANTS 1-17, ADWEEK, LLC, AND  
PATRICK COFFEE,**

**Defendants.**

Case No. 3:19-cv-00688-JAG

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO  
RESPOND TO PLAINTIFF'S COMPLAINT**

Pursuant to Local Civil Rule 6(b) and Local Rule 7(F), Defendants Patrick Coffee and Adweek, LLC (collectively, "Adweek"), by and through their undersigned counsel, move this Court, unopposed by Plaintiff Joe Alexander, for entry of an Order staying their obligation to respond to Plaintiff's Complaint pending the filing of Plaintiff's forthcoming Amended Complaint, and in support thereof, hereby state as follows:

1. Plaintiff Joe Alexander commenced this action by filing a Complaint on September 19, 2019. *See* Dkt. 1. Adweek's deadline to answer, plead or otherwise respond to the Complaint is November 25.

2. The Martin Agency, Inc. and The Interpublic Group of Companies, Inc. (the "Intervenors") filed a motion on October 8, 2019, for leave to intervene for the limited purpose of seeking the entry of an order sealing portions of the Complaint, and for a protective order requiring that future filings redact information that would expose the identity or identities of Plaintiff's accuser(s). *See* Dkt. 5.

3. On November 8, 2019, the Court held a hearing on the Intervenors' motion to

intervene and seal confidential information. The Court granted that motion and entered an order permitting Plaintiff to file an amended complaint by December 10, 2019. *See* Dkt. 20.

4. On November 19, in accordance with the Court's Local Civil Rules, counsel for Adweek conferred with Plaintiff's counsel about its intention to file a motion to dismiss the Complaint. During the call, Plaintiff's counsel informed Adweek's counsel that Alexander intends to amend his Complaint to add new parties and make new factual allegations.

5. During their meet-and-confer conversation, Adweek's counsel suggested that, in light of Alexander's intention to amend his Complaint substantively, it would be most efficient if Adweek filed its motion to dismiss after the filing of Alexander's forthcoming Amended Complaint. Alexander's counsel stated that he would not oppose that request.

6. Proceeding in that manner would conserve judicial and litigant resources and promote the efficient disposition of this case.

7. Accordingly, Adweek respectfully requests that the Court stay the deadline under Federal Rule of Civil Procedure 12(a)(1)(A)(i) for it to answer, plead or otherwise respond to the Complaint pending Plaintiff's filing of an Amended Complaint to which Adweek then will answer, move, or otherwise respond.

8. No party would be prejudiced by the relief sought herein. Indeed, Plaintiff does not oppose the relief requested herein.

9. A proposed Order providing for the requested extension of time is attached hereto as Exhibit A.

WHEREFORE, Adweek respectfully requests that the Court grant this Motion and enter an Order stating that Adweek need not answer, move, or otherwise respond to the Complaint in light of Plaintiff's forthcoming filing an Amended Complaint.

Dated: November 20, 2019

Respectfully submitted,

BALLARD SPAHR LLP

By /s/ Matthew E. Kelley  
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*Counsel for Defendants Patrick Coffee  
and Adweek, LLC*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 20th day of November 2019, I caused a copy of the foregoing to be filed electronically with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing to all interested parties.

/s/ Matthew E. Kelley

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